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March 11, 2017

**VIA ELECTRONIC MAIL**

Honorable Freda L. Wolfson, U.S.D.J.  
United States District Court  
Clarkson S. Fisher Building & US Courthouse  
402 East State Street  
Trenton, NJ 08608

Honorable Lois H. Goodman, U.S.M.J.  
United States District Court  
Clarkson S. Fisher Building & US Courthouse  
402 East State Street  
Trenton, NJ 08608

**Re: *In re: Johnson & Johnson Talcum Powder Products Marketing, Sales Practices  
and Products Liability Litigation***  
**MDL No. 2738**

Dear Judge Wolfson and Judge Goodman:

As requested by the Court at the status conference held on February 22, 2017, the parties have scheduled weekly meet and confer conference calls. On March 8, 2017, the parties met and conferred regarding the amendment of the Master Complaint, the Preservation Order, the CMOs for Short Form Complaints and Answers, and the ESI Protocol. Below is a summary of the negotiations that occurred.

Amendment of Master Complaint. Plaintiffs discussed with Defendants their intent to amend the Master Complaint. Plaintiffs provided to Defendants a draft of the proposed amended Complaint. Following the call, Defendants told Plaintiffs they do not oppose the filing of an amended Complaint, but Defendants do not agree to the validity or viability of any of the new claims asserted. Plaintiffs will file the Amended Complaint and accompanying stipulation the week of March 13<sup>th</sup>. Defendants will file their Responses to Plaintiffs' Amended Master Long Form Complaint by April 17, 2017.

Preservation Order. The parties discussed the unresolved issues in regard to the proposed Order. Agreement has been reached on several issues. Defendants are conferring within their group about Plaintiffs' changes to Defendants' proposed edits and will get back to Plaintiffs as

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soon as possible. Plaintiffs await their feedback. The parties hope to submit to the Court an agreed upon order the week of March 13<sup>th</sup>.

CMOs for Short Form Complaints and Answers. The parties are close to finalizing the CMOs for Complaints and Answers. There is an open issue regarding service in the CMO for Short Form Complaints that the parties continue to discuss. There is only one remaining item in dispute as to the CMO for Answers. The parties will finalize both CMOs and send them to the Court early next week.

ESI Protocol. The parties discussed the ESI protocol in general. Plaintiffs are providing additional information regarding the ESI protocol to be applied to documents produced in the MDL that were not previously produced in state court litigation. A call specifically to discuss ESI issues will be convened next week.

Next Meeting: The next meet and confer will be Wednesday, March 15th. The parties will keep the Court apprised of their progress on the issues above.

Thank you for your consideration of these matters.

Respectfully submitted,

BEASLEY, ALLEN, CROW, METHVIN,  
PORTIS & MILES, P.C.

*/s/ P. Leigh O'Dell*

P. Leigh O'Dell

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